

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**

In re: XAVIER R. RIDGEWAY,

Case No.: 20-61304-PBD

Debtor

Chapter 13

PERITUS PORTFOLIO SERVICES II  
LLC AS AGENT FOR WOLLEMI  
ACQUISITIONS

V.

*Movant(s)*

XAVIER R. RIDGEWAY, and  
CHRISTOPHER MICALE, TRUSTEE

*Respondents.*

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**RESPONSE**

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NOW COMES THE TRUSTEE, in response to a motion for relief from the automatic stay filed in the above-referenced case (the “Motion”) [Docket No. 39], and says as follows:

1. At the time of confirmation of the most recent chapter 13 plan, the Debtor(s) was/were required to make the ongoing payments to the creditor that filed the Motion.
2. As set forth in the Motion, a default in said payments is alleged at this time.
3. Accordingly, based on the Debtor(s)’ default, and if in fact proven to be true, the Trustee submits that any resolution should call for an amended plan to be filed in which both any arrears and future ongoing payments be made through the Trustee acting as the conduit so that such payments may be monitored.
4. However, to the extent the Debtor(s) fails to respond to the allegations set forth in the Motion within the time prescribed in the Court’s Pre-Hearing Order, the Trustee does not oppose the granting of relief and will endorse an order to such legal effect.

WHEREFORE, the Chapter 13 Trustee respectfully prays this Court that:

- A. An order be entered consistent with the relief requested in this Response; and
- B. That the Trustee have such other relief the Court deems necessary and proper.

**OFFICE OF THE CHAPTER 13 TRUSTEE  
CHRISTOPHER T. MICALE, TRUSTEE**

By: /s/Rachel Jones  
Rachel Jones, Esq.  
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of the Chapter 13 Trustee*  
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**CERTIFICATE OF SERVICE**

The Undersigned hereby certifies that on January 10, 2023 a true and exact copy of the foregoing Response was uploaded to the Court's Electronic Case Filing System, notice of which shall be sent by operation of the Court's Electronic filing receipt to all parties entitled to receive notice electronically, including, Counsel for the Movant and Counsel for the Debtor(s).

/s/Rachel Jones